

SO ORDERED.



TIFFANY & BOSCO
P.A.

Dated: February 24, 2010

**2525 EAST CAMELBACK ROAD
SUITE 300**

PHOENIX, ARIZONA 85016

TELEPHONE: (602) 255-6000

FACSIMILE: (602) 255-0192



CHARLES G. CASE, II
U.S. Bankruptcy Judge

Mark S. Bosco
State Bar No. 010167
Leonard J. McDonald
State Bar No. 014228
Attorneys for Movant

09-50344

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

IN RE:

Richard E. Garcia and Tracy L. Garcia
Debtors.

CitiMortgage, Inc.
Movant,
vs.

Richard E. Garcia and Tracy L. Garcia, Debtors,
Russell A. Brown, Trustee.

Respondents.

No. 2:09-bk-30555-CGC

Chapter 13

ORDER

(Related to Docket #17)

Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any, and no objection having been received, and good cause appearing therefore,

IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed

1 by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real
2 property which is the subject of a Deed of Trust dated August 25, 2005 and recorded in the office of the
3 Maricopa County Recorder wherein CitiMortgage, Inc. is the current beneficiary and Richard E. Garcia
4 and Tracy L. Garcia have an interest in, further described as:

5 Lot 174, of ROSEVIEW UNIT 8, according to Book 509 of Maps, Page 5 and Affidavits
6 recorded in Instrument No. 00-457062 and Instrument No. 00-563842, records of Maricopa
County, Arizona.

7 IT IS FURTHER ORDERED that Movant may contact the Debtor(s) by telephone or written
8 correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance
9 Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement
10 with Debtors. However, Movant may not enforce, or threaten to enforce, any personal liability against
11 Debtors if Debtors' personal liability is discharged in this bankruptcy case.

12 IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter
13 to which the Debtor may convert.

14
15 DATED this ____ day of _____, 2010.

16
17
18 _____
JUDGE OF THE U.S. BANKRUPTCY COURT
19
20
21
22
23
24
25
26